

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY; AND CONTAINING OTHER PROVISIONS RELATING THERETO

WHEREAS, the City Council (the “City Council”) of the City of League City, Texas (the “City”) finds that an election should be held to determine whether the City Council shall be authorized to issuance bonds of the City in the amounts and for the purposes hereinafter set forth; and

WHEREAS, the City Council finds and determines that the meeting at which this Ordinance is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended;

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS:

Section 1. Findings. The statements contained in the preamble of this Ordinance are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. Election Ordered; Date; Proposition. A bond election (the “Election”) shall be held in the City on Saturday, May 4, 2019 (“Election Day”), a uniform election date as established by Section 41.001(a) of the Texas Election Code, as amended (the “Code”). At the Election, the following proposition (the “Proposition”) shall be submitted to the qualified voters of the City in accordance with law:

City of League City, Texas -- Proposition A

“Shall the City Council (the “City Council”) of the City of League City (the “City”) be authorized to issue general obligation bonds of the City in the in the amount of \$73,000,000 for the purpose of providing funds for permanent public improvements, to wit: planning, designing, constructing, improving, reconstructing, renovating, repairing, replacing and expanding flood protection and storm drainage facilities and improvements, and erosion control, including the acquisition of land therefor; said bonds to mature serially over a period of not to exceed thirty (30) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the City Council under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?”

City of League City -- Proposition B

“Shall the City Council of the City of League City, Texas, be authorized to issue general obligation bonds of the City in the amount of \$72,000,000 for the purpose of providing funds for permanent public improvements, to wit: designing, developing, constructing, improving, extending, and expanding streets, roadways, thoroughfares, sidewalks, bridges and mobility improvements including streetlighting, right-of-way protection, and related storm drainage improvements; and acquiring rights-of-way in connection therewith; said bonds to mature serially over a period of not to exceed thirty (30) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the City Council under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?”

Section 3.     Official Ballot.

(a)     Voting at the Election, and early voting therefor, shall be by the use of the lawfully approved voting systems identified in the Contract for Election Services between the City and Galveston County.

(b)     The official ballots for the Election shall be prepared in accordance with the Code so as to permit the electors to vote “FOR” or “AGAINST” the Propositions which shall be set forth on the ballots substantially in the following form:

CITY OF LEAGUE CITY, TEXAS – PROPOSITION A

- |                                  |                                                                                                                              |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> FOR     | “THE ISSUANCE OF \$73,000,000 OF GENERAL OBLIGATION BONDS FOR FLOOD PROTECTION AND DRAINAGE IMPROVEMENTS, AND THE LEVYING OF |
| <input type="checkbox"/> AGAINST | THE TAX IN PAYMENT THEREOF”                                                                                                  |

CITY OF LEAGUE CITY, TEXAS – PROPOSITION B

- ☐ FOR                    “THE ISSUANCE OF \$72,000,000 OF GENERAL  
OBLIGATION BONDS FOR STREETS, ROADWAYS  
AND MOBILITY IMPROVEMENTS, AND THE  
☐ AGAINST            LEVYING OF THE TAX IN PAYMENT THEREOF”

Section 4.    Bilingual Election Materials.    All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish and any other languages as may be required by law.

Section 5.    Persons Qualified to Vote.    All resident, qualified electors of the City shall be eligible to vote at the Election.

Section 6.    Election Precincts, Voting Locations and Voting Hours on Election Day.  
The election precincts for the Election shall consist of the territory within the boundaries of the City situated within one or more Galveston County election precincts located wholly or partially within the boundaries of the City. The precinct numbers for the City’s election precincts shall correspond with the Galveston County precinct number for each election precinct wholly or partially within the City. The voting locations for voting on Election Day shall be the county-wide vote center polling locations as set forth in Exhibit A, or at such other locations as hereafter may be designated by the Galveston County Clerk (the “County Clerk”) in accordance with the Contract for Election Services. The City Manager is hereby authorized to update Exhibit A to reflect the final locations designated by the County Clerk, which locations are hereby adopted and approved. Each polling place shall be open from 7:00 a.m. to 7:00 p.m. on Election Day.

Section 7.    Early Voting Clerk; Early Voting Locations, Dates and Times.

(a)    Dwight D. Sullivan, the Galveston County Clerk is appointed as the Early Voting Clerk for the Election.

(b)    Applications for early voting by mail shall be submitted as follows: Dwight D. Sullivan; Early Voting Clerk; County of Galveston; P.O. Box 17253; Galveston, TX 77553-7253. If mailing by common contract carrier, applications for early voting by mail should be submitted to: Dwight D. Sullivan, Galveston County Clerk; 600 59th Street, Suite 2001; Galveston, Texas 77551-4180.

(c)    The early voting polling place shall be as designated in Exhibit B, which is attached hereto and incorporated herein for all purposes. Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in Exhibit B, or at such other locations as hereafter may be designated by the County Clerk as provided in the Contract for Election Services. The City Manager or designee is hereby

authorized to update Exhibit B to reflect the final locations designated by the County Clerk, and such locations are hereby approved.

Section 8. Joint Election. The City, pursuant to the applicable provisions of the Code, will conduct a joint election with other political subdivisions within Galveston County and contract with Galveston County for election services.

Section 9. Appointment of Election Officials; Establishment of Central Counting Station. The election judges, alternate judges, clerks, members of the early voting ballot board, the central counting station officials, and other personnel necessary for conducting the Election shall be appointed, election judges and alternate judges may be changed, polling places may be combined for some precincts, and the central counting station shall be established and staffed by Galveston County as provided in the Election Agreement and such actions are hereby approved. Further, the City Council hereby authorizes the City Manager to appoint any such other officials not designated herein or appointed pursuant to the Contract for Election Services as are necessary and appropriate to conduct the Election in accordance with the Code. The central counting stations to receive and tabulate votes shall be at the locations designated by Galveston County.

Section 10. Notice of Election. Notice of the Election shall be given in the manner required by law.

Section 11. Conduct of Election. The Election shall be held in accordance with the Code, except as modified by the Texas Education Code, and the Federal Voting Rights Act of 1965, as amended.

Section 12. Information Required by Section 3.009 of the Code.

(a) City's Outstanding Debt. As of September 1, 2018, the first day of the City's current fiscal year, the City's aggregate principal amount of outstanding of tax-supported debt was \$229,735,000 and the aggregate amount of outstanding interest on such tax-supported debt was \$68,789,690. As of the date of this Ordinance, the City's total ad valorem tax rate is currently \$0.15002 per \$100 of assessed valuation of taxable property in the City.

(b) Issuance of New Debt. The City intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the City Council based upon a number of factors, including, but not limited to, the then current needs of the City, demographic changes, prevailing market conditions, assessed valuations of property in the City, the use of variable rate debt and management of the City's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations of property vary based upon a number of factors beyond the City's control, and the use of variable rate debt involves periodic adjustments in interest rates that vary based on market conditions and contractual obligations. Therefore, the City cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The City currently estimates that, if the Propositions are approved and the bonds proposed herein are

authorized and issued in accordance with the City's current project plan of finance, the maximum interest rate of the bonds is not expected to exceed 5.59%.

(c) Additional Information Required by Section 3.009 of the Code. The additional information required by Section 3.009 of the Code is located in Sections 2 and 3 of this Ordinance.

Section 13. Necessary Actions. The Mayor of the City Council or the City Manager of the City, or their designees, acting on behalf of the City Council, in consultation with the City's attorney and bond counsel, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code, the Texas Education Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Ordinance.

Section 14. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 15. Effective Date. This Ordinance shall take effect immediately upon its approval.

*[Execution Page Follows]*

PASSED AND APPROVED this \_\_\_\_\_, 2019.

\_\_\_\_\_  
John Baumgartner, City Manager  
City of League City, Texas

ATTEST:

\_\_\_\_\_  
Diana Stapp, City Secretary  
City of League City, Texas

[SEAL]

APPROVED AS TO FORM:

\_\_\_\_\_  
Nehiem V. Doan, City Attorney  
City of League City, Texas

APPROVED:

\_\_\_\_\_  
Bond Counsel  
City of League City, Texas

## **EXHIBIT A**

### **ELECTION DAY POLLING LOCATIONS AND SCHEDULE**

#### **ELECTION DAY SCHEDULE**

*Saturday, May 4, 2019 – Polls are open from 7:00 a.m. to 7:00 p.m.*

#### **ELECTION DAY POLLING LOCATIONS**

*Galveston County utilizes countywide voting centers. City voters may vote at any of the following locations on Election Day:*

<b>Location</b>	<b>Address</b>
Joe Faggard Community Center	1750 Hwy. 87, Crystal Beach, TX 77650
Rebecca Sealy Hospital	404 8 <sup>th</sup> St., Classroom ( <i>1<sup>st</sup> Floor</i> ), Galveston, TX 77550
GISD Administration Building	3904 Avenue T, Galveston, TX 77550
Alamo School	2500 Avenue N. 1/2, Galveston, TX 77550
Galveston County Court House	722 Moody Ave., Galveston, TX 77550
Moody Methodist Church	2803 53 <sup>rd</sup> St., Galveston, TX 77551
L.A. Morgan Elementary School	1410 37 <sup>th</sup> St., Galveston, TX 77550
Weist Intermediate School	7100 Stewart Rd., Galveston, TX 77551
Seaside Baptist Church	16534 Termini-San Luis Pass Rd., Galveston, TX 77554
MUD 12 Galveston	2929 Hwy. 6, Ste. 300, Bayou Vista, TX 77563
Hitchcock ISD Administration	7801 Neville Ave., Building B, Hitchcock, TX 77563
Santa Fe City Hall	12002 Hwy. 6, Santa Fe, TX 77510
La Marque Community Center	1109-B, Bayou Rd., La Marque, TX 77568
Carver Park Community Center	6415 Park Ave., Texas City, TX 77591
Nessler Center	2010 5 <sup>th</sup> Ave. North, Texas City, TX 77590
Bacliff Community Center	4503 11 <sup>th</sup> St., Bacliff, TX 77518
Kemah Fire Department	905 Hwy. 146, Kemah, TX 77565
Clear Lake Shores Club House	931 Cedar Rd., Clear Lake Shores, TX 77565

## **EXHIBIT B**

### **EARLY VOTING POLLING LOCATIONS AND SCHEDULE**

#### **EARLY VOTING SCHEDULE**

***Monday, April 22, 2019 through Friday, April 26, 2019***

Polls are open from 8 a.m. – 5 p.m.

***Monday, April 29, 2019 through Tuesday, April 30, 2019***

Polls are open from 7 a.m. – 7 p.m.

<b>Main Early Voting Location</b>	
Galveston County Justice Center 600 59 <sup>th</sup> St., Galveston, TX 77551 (2 <sup>nd</sup> Floor Conference Room)	
<b>Early Voting Locations</b>	
<b>Location</b>	<b>Address</b>
Joe Faggard Community Center	1750 Hwy 87, Crystal Beach, TX 77650
Galveston County Court House	722 Moody Ave., Galveston, TX 77550
Moody Methodist Church	2803 53 <sup>rd</sup> St., Galveston, TX 77551
Seaside Baptist Church	16534 Termini-San Luis Pass Rd., Galveston, TX 77554
MUD 12 Galveston	2929 Hwy. 6, Ste. 300, Bayou Vista, TX 77563
Hitchcock City Hall	7423 Hwy. 6, Hitchcock, TX 77563
La Marque Community Center	1109-B, Bayou Rd., La Marque, TX 77568
Carver Park Community Center	6415 Park Ave., Texas City, TX 77591
Nessler Center	2010 5 <sup>th</sup> Ave. North, Texas City, TX 77590
Bacliff Community Center	4503 11 <sup>th</sup> St., Bacliff, TX 77518
Kemah Fire Department	905 Hwy. 146, Kemah, TX 77565
Clear Lake Shores Club House	931 Cedar Rd., Clear Lake Shores, TX 77565
Santa Fe City Hall	12002 Hwy. 6, Santa Fe, TX 77510